

**Minutes
City of Burlington Plan Commission
Police Dept. Courtroom
January 8, 2008 6:30 p.m.**

Mayor Lois called the Plan Commission meeting to order this Tuesday evening at 6:30 p.m. followed by roll call: Commissioners John Thate, Darrel Eisenhardt, Bob Henney Tom Vos, John Lynch, and Bob Schulte. Town of Burlington Representative Phil Peterson was excused. Also present were: City Administrator Kevin Lahner; Building Inspector / Zoning Administrator Patrick Scherrer; Aldermen Katie Simenson, Peter Girolamo, Bob Miller, Bob Prailes and Mr. Patrick Meehan, Meehan and Company, Inc.

APPROVAL OF MINUTES

Commissioner Schulte moved and Commissioner Thate seconded to approve the minutes of December 11, 2007. All were in favor and the motion carried.

Citizen Comments – None.

PUBLIC HEARINGS

- A. A public hearing to consider a Conditional Use application from Stelling and Associates on behalf of Love, Inc. for property located at 442 S. Pine Street, Unit #7, to use as a retail store.**

Mayor Lois opened the public hearing at 6:31 p.m.

Town of Burlington Representative Phil Peterson arrived at 6:31 p.m.

There were no comments.

Commissioner Vos moved and Commissioner Henney seconded to close the public hearing. All were in favor and the motion carried. The public hearing was closed at 6:32 p.m.

- B. A public hearing to consider a Conditional Use application from Joe Raboine, Harmony Outdoor Living, Inc., for property located at 701 Blackhawk Drive, to use for the assembly of modular outdoor products.**

Mayor Lois opened the public hearing at 6:32 p.m.

There were no comments.

Commissioner Vos moved and Commissioner Eisenhardt seconded to close the public hearing. All were in favor and the motion carried. The public hearing was closed at 6:33 p.m.

OLD BUSINESS

- 1. Discussion regarding revised plans for the Springbrook Meadows condominium project, including a revised General Development Plan, a revised Site Plan application, three (3) revised Certified Survey Maps and a revised Rezone application from CJ Engineering, LLC.**

Mayor Lois excused himself from this item and asked Commissioner Thate to run the meeting for this issue.

Commissioner Thate opened this issue for discussion and noted that he would be retaining his voting rights.

Developers Kevin McKillip, Bear Realty and Chris Jackson, CJ Engineering presented a revised condo plan for the Springbrook Meadows condominium project. Mr. McKillip informed the Commission that since the meeting in December where this issue was tabled, both he and Mr. Jackson have had two meetings with the surrounding neighbors to discuss their issues and concerns.

Mr. McKillip gave a brief overview of the original plans for the Springbrook Landing Subdivision. He stated that originally Springbrook Landing had two access points onto Yahnke Road. Once the Bypass project plans were approved however, it was determined that part of Yahnke Road would be closed, which would create a land lock situation for the subdivision. He explained that it would be a good alternative to go forward with the proposed condo project, because it would allow for the creation of another access point for the Springbrook Landing subdivision, as well as Pine Brook Point.

Mr. McKillip informed the Commission that after the meetings with the neighbors, he tried to work with their concerns. This includes limiting the number of condo units, as well as maintaining the continuity of the Springbrook Landing development. He explained that the plans now show 32 total units, where 26 will be located in the north portion of the original Springbrook Landing area and the remaining six being built by Hwy 83 on the former Koenig property. Mr. McKillip further explained that a road would be added to connect to Hwy 83 after the Bypass is completed. He noted that the Homeowners Association for Springbrook Landing would retain control and maintenance over the outlots. Mr. McKillip stated that he felt confident that the revised plans provide a reasonable compromise between the developers and the neighbors.

Commissioner Thate questioned if walking trails were originally planned for the outlots. Mr. McKillip stated that it was discussed in the beginning stages of the Springbrook Landing development, but was later removed.

Mr. Meehan asked that the plans presented this evening be submitted to the Commission for review, as it puts the entire development within the context of the formerly approved Planned Unit Development (PUD).

Commissioner Henney questioned if the newly proposed road would be a substandard road and if there would be any parking restrictions on it. Mr. Jackson stated that the road would be the same as those in the subdivision and the parking restrictions would be the same as well, with parking allowed on only one side.

Commissioner Vos questioned if this new development fits with the current PUD. Mr. McKillip stated that it does. Mr. Meehan clarified that the only changes with this PUD are the underlying zoning and density.

Commissioner Schulte questioned when Yahnke Road would be closed. Mr. McKillip stated that he believed it was 2009. He explained that if the plans were to be approved next month, the construction of the other access point would begin so that it would be open by the time the south end of Yahnke Road was abandoned.

Mr. Joe Dawidziak, 1165 Hidden Creek Lane, City of Burlington, stated that he agrees with the revised plans and as discussed in the developer / neighbor meetings and would like to see more in writing prior to the approval of the plans. He thanked the City for tabling this item, which allowed for the developers and neighbors to discuss this issue further. He also noted that a representative of the neighborhood would be present at the February Plan Commission meeting instead of all of the neighbors, to allow for better communication of the issues.

Town of Burlington Commissioner Phil Peterson commended Mr. McKillip on the revised plans as well as the neighbors on their willingness to work with the developers and the City.

NEW BUSINESS

- 1. Consideration to approve a Site Plan application and a Conditional Use Application from Joe Raboine, Harmony Outdoor Living, Inc. for property located at 701 Blackhawk Drive, to use for the assembly of modular outdoor products, subject to Kapur and Associate's December 21, 2007 memorandum and Patrick Meehan's December 31, 2007 memorandum to the Plan Commission.**

Mayor Lois returned as chairman of the meeting.

Mayor Lois opened this issue for discussion.

There were no comments.

Commissioner Vos moved and Commissioner Henney seconded to approve a Site Plan application and a Conditional Use Application from Joe Raboine, Harmony Outdoor Living, Inc. for property located at 701 Blackhawk Drive, to use for the assembly of modular outdoor products, subject to Kapur and Associate's December 21, 2007 memorandum and Patrick Meehan's December 31, 2007 memorandum to the Plan Commission as follows:

- No alterations or changes to the exterior surfaces or utilities are being proposed. There appears to be no new exterior construction associated with the conditional use. Therefore there will be no changes in the existing drainage volumes or patterns associated with the site. Applicability for storm water management practices follows Ordinance 270-5 of the Burlington Code. Because there is no change in use the site will not generate an increase in runoff. *Storm water management will not be required.*

- If any exterior changes to the site are proposed such as, paving, lighting, utilities, etc. Plans must be submitted for review.
- subject to the drawing and application materials submitted by the applicant and any other conditions required by the Plan Commission, City Administrator, City Engineer, and/or City Attorney. *[Note: Pursuant to the requirements of Section 315-32(G) of the City Zoning Ordinance, any outdoor storage area associated with the use must meet the requirements of Section 315-32(G) of the City Zoning Ordinance for uses in the M-3 District.]*
- That the Plan Commission hold a formal public hearing on the applicant's proposed assembly of modular outdoor furnishings constructed of concrete masonry units Conditional Use following the requirements of Section 315-130 of the City Zoning Ordinance regarding "Conditional Use Permits."

All were in favor and the motion carried.

2. Consideration to approve a Certified Survey Map (CSM) from McMahon Associates, Inc. for property located at 980 Milwaukee Avenue (Kohls Department Store site), subject to Kapur and Associate's December 31, 2007 memorandum and Patrick Meehan's December 31, 2007 memorandum to the Plan Commission.

Mayor Lois opened this issue for discussion.

There were no comments.

Commissioner Schulte moved and Commissioner Eisenhardt seconded to approve a Certified Survey Map (CSM) from McMahon Associates, Inc. for property located at 980 Milwaukee Avenue (Kohls Department Store site), subject to Kapur and Associate's December 31, 2007 memorandum and Patrick Meehan's December 31, 2007 memorandum to the Plan Commission as follows:

- North is referenced to the "East" line of the SW ¼ but should be West line of the SW ¼.
- "Wegge" Road is misspelled on sheets 1 & 2 and must be corrected.
- Pursuant to the requirements of Section 278-39(A)(5), existing and proposed contours must be indicated. However, since this property is proposed for redevelopment and a complete grading plan must be submitted by the developer, it is recommended that this requirement be waived by the Plan Commission pursuant to the requirements of Section 278-11 of the City Subdivision of Land Ordinance.
- The text of the description of the Certified Survey Map which appears at the top of Sheets 1 through 5 may must be amended to address that the current proposed Certified Survey Map is a "Redivision of Lot 1 of Certified Survey Map _____" (the earlier Common Council approved Certified Survey Map which was approved on December 18, 2007).

- Sheet 1 of the proposed Certified Survey Map must indicate that the subject property is also zoned in the PUD Planned Unit Development Overlay District as well as the B-1 Neighborhood Business District.
- The submission to the City of a revised Certified Survey Map within 90 days of its conditional approval by the Common Council.

All were in favor and the motion carried.

3. **Consideration to recommend approval of a request from the Historic Preservation Committee for the City to request certification from the Wisconsin Historical Society to become a Certified Local Government (CLG). This item is scheduled for the January 15, 2008 Common Council meeting.**

Mayor Lois opened this issue for discussion.

There were no comments.

Commissioner Vos moved and Commissioner Henney seconded to recommend approval to the Common Council of a request from the Historic Preservation Committee for the City to request certification from the Wisconsin Historical Society to become a Certified Local Government (CLG).

All were in favor and the motion carried.

OTHER MATTERS

None.

ADJOURNMENT

Commissioner Lynch moved and Commissioner Henney seconded to adjourn the meeting at 6:53 p.m. All were in favor and the motion carried.

Adjourned at 6:53 p.m.

Recording Secretary – Angela M. Hansen